

- (a) None of the funds made available under this Act may be obligated or expended to implement any measures to reduce overfishing and promote rebuilding of fish stocks managed under the Management Plan other than such measures set out in the final rule.

(b) In this section: (1) The term “final rule” means the final rule of the National Oceanic and Atmospheric Administration relating to the Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery that was published on June 27, 2003 (68 Fed. Reg. 38234). (2) The term “Management Plan” means the Northeast Multispecies Fishery Management Plan prepared pursuant to section 303 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853).

§ 2, Div. H, § 105 (“Section 105”) (copy attached hereto as exhibit 2).

Consistent with Local Rule 7.1(m), defendants intend to confer with the other parties and amicus in this litigation to discuss the extent to which the deadline for Amendment 13 established by the Court may be affected by Section 105. After a reasonable time to confer with the other parties and amicus, defendants will provide the Court with an additional status report or seek further relief as may be appropriate.

Dated: January 27, 2004

Respectfully submitted,

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